



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JUL 24 2003

DOT-E 8520
(EIGHTH REVISION)

EXPIRATION DATE: June 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: Orica USA, Inc.
(Former Grantee: Energetic Solutions, Inc.)
Englewood, CO
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the use of an alternative test method in determining whether a substance meets the definition of a Class 1.5D Explosive, Blasting, Type E. The "Vented Bomb Fire Test" may be used in place of the External Fire Test prescribed in § 173.58(b). This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.58(b) in that the use of an alternative test method to determine whether a substance meets the definition of a class 1.5D explosive is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application from Orica USA, Inc. dated June 11, 2003, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description/proper shipping name	Hazard Class or Number	Identification number	Packing Group/ Method
Explosive, blasting, type E	1.5D	UN0332	II E-12

7. SAFETY CONTROL MEASURES: The "Vented Bomb Fire Test" is conducted in a vessel constructed from a Schedule 40 Steel Pipe Section, 1 foot in outer diameter and two feet in length, welded closed at the bottom and with a welded top cover having a 3-inch outer diameter Schedule 40 vent pipe approximately 6 inches high protruding from the center of the top cover. The vented pipe vessel is supported in a vertical position approximately 3 feet from the ground by three or four sturdy steel leg braces and constructed in accordance with the Drawing in Attachment 1 of the application.

The "Vented Bomb Fire Test" vessel is first filled with 100 lbs. of the substance to be tested and then subjected to a large fire positioned directly beneath the vessel. The fuel may be kerosene-soaked wood, flammable or combustible liquid in a burning pan or flammable gas from a set of burners. The fire must be large enough to completely engulf the test vessel. The durations of the fire must be such as to cause the material in the test vessel to burn or fume off completely, except for substances such as the oxides of aluminum or iron which are incombustible. The "Vented Bomb Fire Test" must be performed two times for each of the substances under evaluation.

Any substance which does not detonate during or shortly after either trial of the "Vented Bomb Fire Test", or does not deflagrate violently enough to rupture the test vessel into several pieces must be classed as a Class 1.5D Explosive, Blasting, Type E. Any substance which detonates during or shortly after either trial or

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deflagrates violently enough to rupture the test vessel in several pieces must not be classed as a Class 1.5D, Explosive, blasting, type E unless it passes the External Fire Test prescribed in § 173.58(b).

8. SPECIAL PROVISIONS: Not Applicable.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, and cargo aircraft only.
10. MODAL REQUIREMENTS: No additional requirements other than as required in the HMR.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.


Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The holder(s) of this exemption must inform the Associate Administrator for Hazardous Material Safety (AAHMS), in writing, of any incidents involving fire, explosion or the package and shipments of any substances classified as Class 1.5D, Explosive, Blasting, Type E made under the terms of this exemption as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

Issued in Washington, D.C.:



 Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for
Hazardous Materials Safety, Research and Special Programs
Administration, Department of Transportation, Washington, D.C.
20590. Attention: DHM-31.

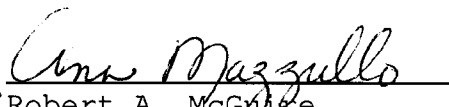
Copies of this exemption may be obtained by accessing the
Hazardous Materials Safety Homepage at
<http://hazmat.dot.gov/exemptions> Photo reproductions and
legible reductions of this exemption are permitted. Any
alteration of this exemption is prohibited.

PO: sdc

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
R&R Trucking, Inc. Duenweg, MO	Jun 8, 2001	10/9/2001	Jul 31, 2003


for Robert A. McGuffee
Associate Administrator for
Hazardous Materials Safety